

Estes Park Mountain Fairways, Inc.
 Rules & Regulations – *Introduction [revised Sept, 2012]*
[all revisions in bold italics]

All this material had the official copies signed by the Association board chairman on 7/13/13 to document board approval of the material

It is the responsibility and intent of the Estes Park Mountain Fairways Board of Directors to enforce and amend as necessary the Rules and Regulations as set forth in the Declaration dated 5/11/89. ***The last revision of this specific document was July, 2008.***

It is also the responsibility and intent of the Estes Park Mountain Fairways Board of Directors to respond in a timely manner to any concerns of the unit owners, recognizing that available resources may govern the scheduling of work or repairs to be done.

The Board of Directors may assign responsibility to various committees to evaluate changes or additions as requested by unit owners. The recommendation of the committee will be submitted to the Board of Directors for either approval or disapproval.

The Rules & Regulations are comprised of multiple components as represented by the Table of Contents that follows.

<i>TOPIC</i>	<i>Number of Pages Involved & Starting Page</i>
<i>Rules & Regulations Introduction</i>	<i>1/1</i>
<i>General Rules & Regulations</i>	<i>3/4</i>
<i>Collection of Unpaid Assessments</i>	<i>1/6</i>
<i>Enforcement of Covenants and Rules - Notice and Hearing Procedures - Schedule of Fines</i>	<i>3/6</i>
<i>Flags and Flagpoles</i>	<i>3/8</i>
<i>Political and Elections Signs</i>	<i>2/10</i>
<i>Decisions Upon Architectural and Landscaping Changes</i>	<i>2/11</i>
<i>Adoption and Amendment of Policies Procedures and Rules</i>	<i>3/12</i>

The control approach for managing electronic and signed paper copies of each component is as follows:

1) The electronic version of each component will be comprised of the one or more content pages and a “trailer” page. This final “trailer” page will document the version date and number and give such additional information as a) the changes made to get from the previous version to the current version and b) any additional information important to understanding the R&R (such as references to whether there is directly applicable data in the state laws, our Declarations, etc.). The “master” will be stored in the MF Central File System (electronic files portion)

2) The signed paper “master” will be stored in the MF Central File System (paper files portion) and a copy will be stored in the MF Governing Documents Notebook maintained by the MF Business Practices Committee.

DESIGN PERSPECTIVE ON OUR GOVERNING & GUIDANCE DOCUMENTS

The graphic below describes the design into which the various documents will fit as the current project and follow on projects reorganize and improve MF’s governing documents. The key abbreviations are found on the next page. In order to keep things simple, only two terms will be used on this page, *Rules* (which normally apply to owners) and *Policies* (which normally apply to the board). ***The text in small bold red italics indicates where and how changes are being handled.***

MF MAJOR GOVERNANCE

HOA LAWS
MF DECLARATIONS (23 pages) <i>no change</i>
MF ARTICLES OF INCORPORATION [AOI] (4 pages) <i>no change</i>
MF BY-LAWS (9 pages) <i>no change</i>

MF RULES SUPPLEMENTAL GOVERNANCE ***

MF DOWNSIZED RULES (19 pages) <i>revised version approved</i>
<i>will leave the “Board Policy and Procedures Statement” format as is for now – will split (or not) the Rules from the business processes during a subsequent follow on project</i>

The *** groups were formerly one group but are now split

MF POLICIES SUPPLEMENTAL GOVERNANCE & GUIDANCE ***

MF POLICIES (a few pages)
MF Authorities (a few pages) <i>being done outside this project’s scope</i>
MF Business Processes (includes procedures, forms, etc) (many, many pages) <i>will have the Policies split out from the business processes during a subsequent follow on project – will leave the “Board Policy and Procedures Statement” format as is for now</i>

GOVERNING DOCUMENTS PROJECT OVERVIEW

Terminology used on the first page

- a) Rules – the term *Rules* is an abbreviation for the full term Rules & Regulations (with the acronym **R&R's**).
- b) Policies – the term *Policies* is an abbreviation for the full term Policies & Guidelines (with the acronym **P&G's**).

The concept of guidelines is new and was not used in the original set of Rules. The difference is **Policies** = must be done and **Guidelines** = should be done unless there is good justification not to do so.

Initial project approach

- 1) Split the existing Rules & Regulations [**R&R's**] into a downsized set of R&R's and a new set of Board Policies & Guidelines, Authorities and Business Processes [**P&G's**]
- 2) Do the work in three phases:
 - a) phase one - do the split, retaining the current format of *Board Policy & Procedure Statement* for both the R&R's and the P&G's material and making minimal content changes
 - b) phase two – review the R&R's and P&G's against a) current MF business practices and b) current legal requirements in order to get the material in sync with both
 - c) phase three – for the R&R's retain the *Board Policy & Procedure Statement* format, but for the P&G's separate the *policy* component from the *procedure* component. Then determine if the policy component is a policy or a guideline and move the procedure component into the business processes section.

Revised project approach *[decision by the board in 2015 when doing review & approval of the P&G material]*

- 1) Continue with the initial approach for the R&R material.
- 2) For the P&G material, combine phase one and phase two work when creating, and then doing review and approval for, the initial set of P&G's.
- 3) With the initial set of R&R's and P&G's in place, then do the follow on work for both the R&R (do phase two & three) and P&G (do phase three) material.

Current project status

- 1) The initial set of R&R's were approved in 2013.
- 2) The initial set of P&G's was produced by the MF P&G team [John, Kathy, Susan, and Pete (team leader)] for review and approval by the board at their 8/27/16 retreat/board meeting.
- 3) Our MF web page, previous to the August 2016 effort, had minimal material in this arena of R&R's and P&G's – there was an outdated version of the General R&R's (3 pages) present and that was it.
- 4) The P&G project team is adhering to the current R&R rule that specifies that advance notification to owners must be done prior to consideration of changes to the R&R's and/or P&G's at a board meeting.

NOTE: This two page overview was added as information to the approved R&R material in August 2016.

1. A unit owner wishing to make any changes to the exterior of his/her unit MUST submit, in writing, his/her request including drawings as necessary, to the Board of Directors for approval. The Board of Directors shall respond within 30 days.

***WORK SHALL NOT BEGIN UNTIL
WRITTEN PERMISSION IS GRANTED.***

2. All parts of the complex shall be kept in a neat, orderly and sanitary condition.

3. All clothes, clotheslines, equipment, woodpiles or storage piles shall be kept screened or covered to conceal them from view of neighboring units and streets.

4. Advertising signs are restricted to signs no larger than the standard 24" X 32" Realtor sign. No business activity signs, unsightly objects or nuisances shall be placed on the premises. A "nuisance" shall be determined by the exercise of reasonable discretion by the Board of Directors.

5. Only small television dishes and antennas (24 inch), are permitted. Installation and location must be approved by the Board of Directors prior to placement of the dish or antenna.

6. Business Activities. No business activities of any kind that involve increased vehicle or foot traffic are permitted. This includes selling, storage or delivery of products. Obviously, private use of telephone or computer for business purposes is permitted.

7. Unit owners shall keep garage doors closed at all times except when entering or leaving. Exceptions to this may be:

- * when frequent going and coming will require repeated opening and closing of doors;
- * those occasions when work is being done in the garage area.

8. Recreational vehicles, trailers, boats, bicycles or motorcycles must be parked within the enclosed area of the garage. NO tents are to be erected at any time.

9. Delivery trucks or moving vans are allowed for the period of time necessary to load or unload goods.

10. Resident & Guest Parking. Residents and/or guests shall NOT park on the public/common asphalt drive behind the units on the north side of the complex. Parking in this area must be limited to unit driveways. Matthew Circle is a narrow street. Unit owners are asked not to park on the street unless absolutely necessary. Unit owners must request that guests be considerate of other unit owners and not block the street or driveways.

11. All artificial lawn and garden ornaments, lights and other objects must have the Board of Directors approval before being placed in any of the common areas or attached to buildings. Outdoor winter holiday lighting may be used during the period from Thanksgiving to January 2.

12. Pet Control is the unit owner responsibility. All Estes Park Town Ordinances apply. All dogs must be

on a leash at all times. Unit owners are required to clean up pet excrement as it occurs, where-ever it occurs. Unit owners are to be considerate of neighbors to properly and adequately control their pets. The Board of Directors, if necessary, will notify Estes Park Animal Control Officer if a unit owner allows their pet to become a nuisance.

13. It is the goal of the Board of Directors to encourage uniformity in landscaping of Estes Park Mountain Fairways Inc property. Unit owners who wish to alter or add to the recommended standards must have prior approval. Non-standard plantings already in place will be maintained by the unit owner. If not, replacement with standard plantings is likely.

14. Roofs. Unit owners, Real Estate Agents and inspectors are not allowed on unit roofs without the Board of Directors permission. Repair or damage done by unauthorized persons walking on roofs will be the responsibility of the unit owner.

15. Lease Approval. Minimum time for lease or rentals is 6 months. An "Application for Lease Approval" form must be submitted by the unit owner, reviewed and approved by the Board of Directors PRIOR to rental of any unit. The approval form is available from the Secretary of Estes Park Mountain Fairways Inc. All Estes Park Town ordinances apply to unit leases. This includes number of tenants and vehicles allowed.

16. Window and Door Replacement shall be the responsibility of the unit owner.

17. Insurance Claims: Unit owners wishing to make claims for damage to *the exterior of* their units must first notify the Board of Directors and/or the Property Manager so the claim may be inspected prior to any repair being made or any costs incurred. The Board of Directors and/or the Property Manager will furnish a unit owner with a reference choice of tradesmen, contractors and repairmen to choose from to make repairs, modifications, additions, etc. In NO case does the recommendation or referral from realtors, fellow tradesmen, contractors, friends or other unit owner meet or constitute approval by the Board of Directors and/or the Property Manager. A unit owner may be held responsible for excessive charges that exceeds what is considered usual and customary if not approved by the Board of Directors and/or the Property Manager.

18. *Garage sales by individuals are not allowed* (inside a unit, unit owners garage, on any common areas or unit owner driveways) ***except on the MF GARAGE SALE DAY specified each year. Estate sales may be considered on a case-by-case basis by the board when a MF HOA member dies (or must sell and move due to health reasons).***

19. Parking. Unit owners must park in spaces assigned to their units. They must not park in spaces reserved for others without express permission for each occasion. Parking stalls are for automobiles, pick-up trucks and/or golf equipment. Recreational vehicles, trailered units, boats, bicycles, house trailers, camping trailers, boat trailers, hauling trailers, motor-driven cycles, trucks larger than one (1) ton, self-contained motorized vehicles and cargo trailers are NOT to be parked or stored except temporarily for loading and/or unloading purposes. The above rule applies to open areas under decks. Enclosed garages may be used at the unit owner's discretion, provided that the garage doors CAN BE CLOSED.

20. Air-conditioning. *Air-conditioning equipment for use in providing conditioned air capability to all or part of a unit is allowed as long as the following conditions are met:*

a) the board approves, prior to any work taking place, the high level approach/design that is desired by the owner

b) the board approves, prior to any implementation work taking place, the details of the proposed installation as it relates to what equipment will be external to the unit and what impact that equipment will have environmentally (including, but not limited to, noise levels, impact on drainage and landscaping right-of-way, etc.). Should any of the interior equipment have the potential for a

comparable impact (for example noise level), that will require approval also.

Estes Park Mountain Fairways Inc
Board Policy and Procedures Statement [revised Sept, 2012 - all revisions in bold italics]

Collection of Unpaid Assessments

1. Collection by *Treasurer* of Estes Park Mountain Fairways Inc. Collection of unpaid routine and special assessments, and all other costs and expenses assessed to a member of the association as an owner of property in the common interest community shall be undertaken by the *Treasurer* of Estes Park Mountain Fairways Inc for the association, and by any legal counsel selected by the Board of Directors of the Estes Park Mountain Fairways Inc.

2. Actions by *Treasurer* of Estes Park Mountain Fairways Inc. The *Treasurer* of Estes Park Mountain Fairways Inc for the association shall take all reasonable actions necessary or convenient to attempt to collect delinquent assessments owing by members of the association. Such actions shall include direct contacts to members, postal mailing of monthly reminders of delinquent and current assessments owed, assessment of a late fee for late payment of assessments and assessment of reasonable collection costs.

3. Late Fees. For each late payment of a regular or special assessment, association by and through the *Treasurer* of Estes Park Mountain Fairways Inc shall assess on the account of the late paying member a one time late fee. Such fee may be assessed if the *Treasurer* of Estes Park Mountain Fairways Inc does not receive payment of an assessment within thirty (30) days of the due date of the delinquent assessment. The late fee shall be assessed by adding the late fee to the account of the delinquent member. The amount of the late fee will be determined by the executive board, and shall not be in excess of the amount, if any, allowed by the Declaration of the common interest community.

4. General Actions. In all cases of delinquent assessments, the *Treasurer* of Estes Park Mountain Fairways Inc and legal counsel, with notice to and input by the executive board, shall act as necessary to protect the interests of the association, and in doing so, may deviate from the general procedures stated herein.

5. Collection Costs and Attorneys Fees. As provided in *Colorado Revised Statutes*, the association will seek reimbursement and recovery of collection costs and reasonable attorneys fees incurred as a result of a failure to timely pay assessments and money due to the association. Such collection costs and reasonable attorney fees shall be assessed to a member and the unit (land) in common interest community by adding the amount of such costs or fees to the member's account.

Estes Park Mountain Fairways Inc
Board Policy and Procedures Statement [revised Sept, 2012 - all revisions in bold italics]

Enforcement of Covenants and Rules
Notice and Hearing Procedures
Schedule of Fines

1. Covenants and Rules Addressed. This statement of Policy addresses all violations of policies,

procedures, rules and regulations and guidelines of the association, whether stated in the declaration of covenants, conditions and restrictions of the association, executive board policy and procedure statements, association by-laws, association rules and regulations, and architectural, landscaping, or other guidelines of the association, other than the failure to pay assessments or any money or sums due to the association, which is addressed in a separate Statement of Policy.

2. Notice of Violations. The association, by and through the Secretary of Estes Park Mountain Fairways Inc and/or Property Manager, will give notice of alleged violations of the policies, procedures, rules and regulations and guidelines of the association in the following manner:

2.1 First Letter. A first violation or warning letter will be hand delivered to the member/owner believed to be in violation, or mailed by pre-paid first class U.S. Mail to the address for such member/owner maintained in the records of the association. Such letter shall state:

- a) the alleged violation,
- b) a reference to the policy, procedure, rule and regulation or guideline alleged to be violated,
- c) the corrective action required to comply with the policy, procedure, rule and regulation, or guideline to be violated, and
- d) the time (deadline) by which the alleged violation must be corrected.

2.2 Second Letter. If an alleged violation is not corrected by the deadline in the first violation or warning letter, a second letter will be delivered or mailed, as provided in 2.1 above, to the member/owner believed to be in violation. Such letter shall include a copy of the first violation/warning letter, and shall state directly, or by reference to the first violation letter, the following:

- a) a reference to the first violation/warning letter,
- b) the alleged continuing violation of the policies, procedures, rules and regulations, and guidelines of the association,
- c) the corrective action required to comply with the policy, procedure, rule and regulation, or guideline alleged to be violated,
- d) that the member/owner is subject to a fine for the alleged violation by the association, its controlling documents, and Colorado law,
- e) that the executive board of the association will consider the alleged violation and whether the member/owner should be fined at a meeting of the executive board to be held on a stated date and time at least ten (10) days after the date of delivery or mailing of this second letter/notice, and the location of such meeting, and
- f) that the member/owner has a right to be heard at such executive board meeting upon the issue of the alleged violation and any fine for a violation.

2.3 Subsequent Violation. Notwithstanding the provisions of 2.1 and 2.2 above, if the executive board previously found a violation occurred by a member/owner or unit of the association (whether or not a fine was imposed), in the event a subsequent violation is alleged against the same member/owner or unit of the association of a significantly similar nature to the previous violation, and is alleged to have occurred within twenty-four (24) months of the previous violation, the only notice required of the subsequent alleged violation shall be delivery or mailing of the second letter as described in 2.2 hereof.

2.4 Emergency Situation. In the event of a situation that the executive board or the property manager determines is an emergency or an imminent threat to peace, health, or safety of persons or property, the executive board or the property manager may deviate from the notice procedures stated in this 2, provided however, that nothing shall prevent the member/owner from having a right to be heard before the executive board regarding the alleged violation and fine.

3. Determination of Violation. Following notices as described in 2 above, the executive board, at the board meeting identified in the notice to the alleged violating member/owner, will consider the alleged violation(s), shall determine whether such violation(s) occurred, and shall determine whether any fine(s) or other sanction(s) available to the executive board regarding the alleged violation(s) shall be assessed. Such determination shall occur after the opportunity of the member/owner or his/her duly appointed representative to be heard before the executive board regarding the alleged violation(s) and the fining authority of the executive board. The alleged violating member/owner shall have the right to call witnesses and present evidence, subject to reasonable time and other controls by the executive board. Final determination of the violation(s) and any fine(s) or sanction(s) shall be made at the meeting scheduled for consideration of the alleged violation(s) or fining, or at a later meeting to which such consideration is continued, but in no event more than thirty (30) days later, unless additional time is requested or agreed to by the alleged violating member/owner or his/her representative, or determined by the executive board to be needed in order to appropriately consider the alleged violation(s) and possible sanction(s).

4. Fine Schedule.

4.1 Fine Schedule. Subject to any maximum fines set by the declaration of covenants, conditions and restrictions of the association, or Colorado law, the executive board will assess fines according to the following schedule:

First violation - \$50.00

Second violation - \$100.00

Third and subsequent violation(s) - \$500.00

4.2. Continuing Violation. In the event, set of circumstances, or situation that constituted a violation, whether a fine was assessed or not, continues to exist after the finding of violation, upon a subsequent finding of another violation, the executive board may move to the next higher level of the fine schedule, as the facts may warrant.

4.3 Recurring Violation. In the event, set of circumstances, or situation that constituted a violation, whether a fine was assessed or not, was corrected and then reoccurs within twenty-four (24) months of the date of the earlier violation, upon a subsequent finding of another violation, the executive board may move to the next higher level of the fine schedule, as the facts may warrant.

4.4 Increased Fine. Notwithstanding the fine schedule in 4.1 above, the executive board shall have the authority, after notice of and an opportunity to be heard as provided by this Statement of Policy and Colorado law, to assess a fine up to \$300.00 for any violation that the executive board determines is either:

- a) a public or private health or safety concern,
- b) a particularly egregious violation,
- c) reflects a significant concern to the common interest community as a whole, or
- d) reflects a substantial disregard of the policies, procedures, rules and regulations, or guidelines of the association.

Flags and Flagpoles

1. American flags and military service flags may be displayed pursuant to these rules and regulations. Military flags are defined as those bearing a star denoting the service of the unit owner or a member of the unit owner's immediate family in the active or reserve military service of the United States.
2. Display of the American flag is subject to the following rules and regulations:
 - 2.1 It may be displayed at any time. Two (2) American flags may be displayed upon an owner's property at one time.
 - 2.2 It may be displayed upon the unit owner's property, in a window of the unit owner's residence, or on a balcony adjoining a unit owner's property.
 - 2.3 It must be displayed in a manner consistent with the Federal Flag Code, P.L.94-344; 90 Stat. 810; 4 U.S.C. 4 to 10.
 - 2.4 The maximum size allowed flag size is three (3) feet by five (5) feet.
 - 2.5 It may be displayed upon a flagpole that complies with 4 or 5 of these Rules and Regulations.
3. Display of military flags, as defined herein, is subject to the following rules and regulations:
 - 3.1 They may be displayed during a time of war or armed conflict.
 - 3.2 They may be displayed only inside of a window or inside of a door of the unit owner's residence.
 - 3.3 The maximum dimensions of a military flag are nine (9) inches by sixteen (16) inches.
4. Poles to display the American flag from a bracket or holder installed on a wall are subject to the following rules and regulations:
 - 4.1 Any pole may be used to display the American flag that allows for proper display pursuant to 2.3 above.
 - 4.2 The bracket or holder must be installed upon a wall of the primary residential structure upon the unit owner's property.
5. Freestanding flagpoles are those that allow for display of the American flag on a pole installed in the ground for the purpose of such display. Such flagpoles must comply with the following rules and regulations:
 - 5.1 Flagpole design, material, construction and location must be approved in advance of installation by the Board of Directors. Any disagreement by an owner with the decision of the Board of Directors regarding a flagpole may be appealed to the Board of Directors, which shall make the final decision.
 - 5.2 Only American flags may be displayed upon a freestanding flag pole. No other flags, banners, ribbons or objects, including military service flags, may be displayed upon a freestanding flag pole.
 - 5.3 The flagpole must be made of sturdy metal or aluminum.
 - 5.4 The exposed portion of a freestanding flagpole above ground may not be more than fifteen (15) feet and not less than twelve (12) feet.
 - 5.5 The flagpole must be installed in a secure fitting in the ground and must be removable from

such fitting.

5.6 The maximum diameter of the flagpole at its exposed base is four (4) inches.

5.7 The location of a freestanding flagpole must be approved by the Board of Directors. Flagpoles are allowed only in the front yard of a unit owner's property, which is the yard adjacent to the wall of the residence structure in which the front door to the residence is located. A flagpole must be located closer to the residence structure of the unit owner than it is to any public right-of-way or to any adjoining lot or parcel of land, whether or not such adjacent land is improved, vacant, or intended for residential purposes.

5.8 A freestanding flagpole and the American flag displayed from it may not be artificially or electrically illuminated in any manner.

6. Upon advance request to the Board of Directors of the Association or its designated committee, a tenant of a unit of the Association may request authority to display an American flag or a military service flag under these rules and regulations where such tenant is restricted from so displaying such flag(s) solely because such tenant is not the owner of the unit in which the tenant resides.

7. The Board of Directors of the Association, or its designated committee, may authorize, in advance of display, upon a case-by-case basis, any other display of the American flag by a unit owner that is consistent with proper flag etiquette and the provisions of 2.3 above.

8. Nothing in these rules and regulations prevents display of any other type of flag, banner, ribbon or object from a pole in a wall mounted bracket pursuant to 4 above, provided the maximum dimensions of such flag, banner, ribbon or object is three (3) feet by five (5) feet.

9. In the event any provisions hereof shall hereafter conflict with Colorado law, such provisions as are directly in conflict with such laws shall not be effective as Rules and Regulations of the Association, and shall not be enforced by the Association. All other provisions hereof that shall not be in conflict with such laws shall remain in full force and effect and enforceable by the Association.

Estes Park Mountain Fairways Inc
Board Policy and Procedures Statement*[revised Sept, 2012 - all revisions in bold italics]*

Political and Elections Signs

1. A political or election sign is a sign that reflects support for or against a political office candidate or issue that is on an election ballot in any governmental jurisdiction in which Estes Park Mountain Fairways Inc is located.

2. The display of a political or election sign by a unit owner is permitted to the extent permitted by, and shall be controlled by, the provisions of Colorado law and City of Estes Park, Colorado, ordinances.

3. The display of a political or election sign (herein called "Sign(s)") by a unit owner is subject to the following rules and regulations:

- 3.1 Signs must be freestanding signs or located in a window of the unit owner's residence (unit). Signs may not be located upon-or-affixed-to-any-exterior structure surface. Freestanding Signs must be located in and upon property owned by the unit owner. Freestanding Signs may not be located in or upon Common Element property or any other property owned by the Association.
- 3.2 Each unit owner may display one Sign per candidate or issue on the ballot, per street frontage.
- 3.3 Freestanding Signs must be set back at least one (1) foot from any public right-of-way. Signs may not be located in any public right-of-way.
- 3.4 The maximum height of a Sign is four (4) feet. The maximum size of a Sign is eight (8) square feet.
- 3.5 Signs may not be displayed prior to forty-five (45) days before the election day, and must be removed by seven (7) days after the election day.
- 3.6 Signs may not be artificially or electrically illuminated.

4. A tenant of a unit of the Association may display Signs of a political and election nature under these rules and regulations.

5. In the event any provisions hereof shall hereafter conflict with Colorado law or City of Estes Park ordinances, such provisions as are directly in conflict with such laws or ordinances shall not be effective as Rules and Regulations of the Association, and shall not be enforced by the Association. All other provisions hereof that shall not be in conflict with such laws or ordinances shall remain in full force and effect and enforceable by the Association.

Estes Park Mountain Fairways Inc
Board Policy and Procedures Statement *[revised Sept, 2012 - all revisions in bold italics]*

Decisions Upon Architectural and Landscaping Changes

1. **Control of Decisions.** Pursuant to Colorado law (referenced above) standards and procedures for association decisions concerning approval or denial of a member's application for architectural or landscaping changes, modifications or remodeling are contained in the declaration of covenants, conditions and restrictions for the association, and in the rules and regulations of the association.

2. Decision Standard. Decisions by the association, the Executive Board or any committee thereof, concerning approval or denial of a unit owner's application for architectural or landscaping changes, modifications or remodeling shall not be made arbitrarily or capriciously.

Estes Park Mountain Fairways Inc
Board Policy and Procedures Statement [revised Sept, 2012 - all revisions in bold italics]

Adoption and Amendment of Policies
Procedures and Rules

1. Adoption and Amendment Authority. [R&R, P&G]

1.1 Executive Board. Adoption of, or amendment of, statements of policy, procedure, rules and regulations, and guidelines of the association will be undertaken by the Executive Board, unless the membership of the association shall choose to act in any matter, or Colorado law requires the membership of the association to make such determinations.

1.2 Control of Process. The Executive Board shall in all cases, unless the membership of the association shall choose to act, control the process of adoption and amendment of statements of policy, procedure, rules and regulations, and guidelines of the association. While discussing, drafting and considering any such adoption or amendment, the Executive Board will involve members of the association and may involve its committees, the property manager and legal counsel. No actions shall be taken which will contradict Colorado law.

1.3 Declaration. Amendment of the declaration of covenants, conditions and restrictions that controls the association will be made as directed by such declaration and Colorado law.

2. Notice of Proposed Action. [R&R required, P&G suggested]

2.1 Notice in Advance. It is the policy of the Executive Board that members of the association shall be notified in advance of any proposed action by the Executive Board at an Executive Board meeting to adopt or amend any statement of policy, procedure, rules and regulations, or guidelines of the association.

2.2 Specific Notice. Notice of any such proposed adoption or amendment by the Executive Board under 2.1 above shall be given as required for meetings of the association membership and shall include the date and time of the meeting, the place of the meeting, the agenda of the meeting, and copies of any proposed resolutions which would adopt or amend any statement of policy, procedure, rules and regulations, or guidelines of the association. Such notice and documents can be included in other mass mailing to all members of the association, including such as a newsletter to members.

3. Comment by Members. [R&R required, P&G suggested] Comment and discussion by any member of the association upon any proposed adoption or amendment of any statement of policy, procedure, rules and regulations, or guidelines by the Executive Board is available to such member at the meeting(s) where such adoption or amendment is to be considered, as provided by the policies and procedures of the Executive Board and Colorado law.

4. Effective Date. [R&R required, P&G suggested] Any adoption or amendment of a statement

of policy, procedure, rules and regulations, or guidelines of the association adopted by the Executive Board will be effective upon the later of the effective date contained in the adoption or amendment resolution of the Executive Board or ten (10) days after notice of the adoption or amendment is provided to association members under 5 below.

5. Distribution. *[R&R required, P&G suggested]* The adoption or amendment of a statement of policy, procedure, rules and regulations, or guidelines of the association adopted by the Executive Board will be distributed to association members in the following manner:

5.1 Direct Distribution. The adopted or amended statement shall be given to the association membership by hand delivery or prepaid first-class U.S. mail. Distribution may be combined with any other delivery or mailing to association members, including such as a newsletter.

5.2 Other Records. The Association will maintain all statements of policy, procedure, rules and regulations, or guidelines of the association in the office of the Secretary in a written format or in an electronic format that can be converted to a written form in a reasonable time. Such documents may also be maintained upon the web site of the association or the Secretary, if any. So maintaining such documents is not an alternative to the required distribution under 5.1 above.

NOTE: The designation R&R [Rules & Regulations] or P&G [Board Policies & Guidelines (includes Authorities and Business Processes)] by an item denotes to which set of material (or both) the text applies. In some cases the text R&R required, P&G suggested is used. When this appears the board will determine the appropriate action basis the significance of the action relative to normal owner interest.

July 13, 2013
Date of board approval

signed by Charley
Written signature of board officer

Board Chairman
Position of attesting board officer

Charley Griffin
Printed name of board officer